

EXHIBIT 1

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

LURLINE HIGGETT,

Plaintiff,

-vs-

FAMILY DOLLAR, INC., d/b/a/ FAMILY
DOLLAR STORE #11585,

Defendant.

IN THE COURT OF COMMON PLEAS

DOCKET NO.:

S U M M O N S
(JURY TRIAL DEMANDED)

TO: THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action of which a copy is herewith served upon you, and to serve a copy of your Answer to the said Complaint on the subscribers at their office, 1314 Lincoln Street, Columbia, South Carolina, within thirty (30) days after the service thereof, exclusive of the date of such service and if you fail to answer, appear, or defend, judgment by default will be rendered against you for the relief demanded in the Complaint.

s/Zachary D. Linowski

ZACHARY D. LINOWSKI

Attorney for Plaintiff

S.C. Bar No.: 103215

ATTORNEYS LEE, EADON, ISGETT,

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(803) 799-9811

Columbia, South Carolina

December 30, 2020.

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG
LURLINE HIGGETT,

Plaintiff,

-vs-

FAMILY DOLLAR, INC., d/b/a/ FAMILY
DOLLAR STORE #11585,

Defendant.

IN THE COURT OF COMMON PLEAS

DOCKET NO.:

COMPLAINT
(JURY TRIAL DEMANDED)

Plaintiff would respectfully show:

1. Plaintiff is a resident of the County of Orangeburg, State of South Carolina.
2. Upon information and belief, Defendant, Family Dollar, Inc. d/b/a Family Dollar Store #11585, is a corporation organized and existing under the laws of one of the States of the United States and transacts business, contracts to supply goods, regularly does and solicits business, and derives substantial revenue in the County of Orangeburg, State of South Carolina.
3. On or about December 21, 2018, Plaintiff was attempting to exit the Family Dollar Store #11585 located at 2429 Russell St. Orangeburg, SC 29115, after shopping, when she tripped on a damaged door mat and fell.
4. As a result, Plaintiff suffered great physical harm and injury to the head, body and limbs, specifically the head, arms, shoulders, neck, back, hips, and legs, which has caused, and will in the future cause, Plaintiff to undergo much physical pain, suffering, mental anguish, emotional distress, and impairment of health and bodily efficiency, and has caused, and will in the future cause, Plaintiff to have to spend money for medical services.

5. At all times material to this action, the Defendant, through the acts of its agents, servants, and/or employees, was negligent, careless, reckless, and grossly negligent at the time and place above-mentioned in the following particulars:

- a. In failing to properly review and inspect the condition of the store's floor;
- b. In failing to remedy a dangerous condition on the floor;
- c. In failing to replace the worn out and/or damaged door mats;
- d. In failing to provide signage or warning regarding the worn out and/or damaged door mat;
- e. In failing to remove worn out and/or damaged door mats and hazards;
- f. In failing to replace worn out and/or damaged door mats;
- g. In failing to properly train its agents, servants, and/or employees;
- h. In failing to supervise its agents, servants, and/or employees;
- i. In failing to exercise that degree of care and caution that a reasonable and prudent person would have exercised under the same or similar circumstances; and
- j. In such other and further particulars as may be shown at trial.

All of which were the direct and proximate cause of the injuries and damages suffered by Plaintiff, said acts being in violation of the statutory and common laws of the State of South Carolina.

6. Plaintiff is informed and believes that she is entitled to judgment in this matter as set out below.

WHEREFORE, Plaintiff prays for judgment for actual and punitive damages in amounts determined by a jury, for the costs of this action, and for such other and further relief as the Court may deem just and proper.

s/Zachary D. Linowski
ZACHARY D. LINOWSKI
Attorney for Plaintiff
S.C. Bar No.: 103215

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